



Ontario  
Energy  
Board | Commission  
de l'énergie  
de l'Ontario

**BY EMAIL AND WEB POSTING**

November 23, 2023

**To: All Participants in EB-2023-0111**

**Re: Notice of Hearing for Cost Awards  
Consultation to Review the 2023 Annual Update to EPCOR Natural Gas  
Limited Partnership's 2019-2024 Aylmer Natural Gas Supply Plan and new  
Three-Year Natural Gas Supply Plan for South Bruce (2023-2025)  
OEB File Number: EB-2023-0111**

On May 16, 2023, the Ontario Energy Board (OEB) announced that it was initiating a consultation to review the 2023 Annual Update to EPCOR Natural Gas Limited Partnership's (ECPOR) 2019-2024 Aylmer Natural Gas Supply Plan and new Three-Year Natural Gas Supply Plan for South Bruce (2023-2025) in keeping with the gas supply plan assessment process contemplated in the OEB's [Report of the Board: Framework for the Assessment of Distributor Gas Supply Plans](#) (Gas Supply Framework).<sup>1</sup>

In its letter dated May 16, 2023, the OEB established the maximum number of cost eligible hours that a party can claim for the review of the GSPs (up to 8 hours for the review of the GSPs and written questions, and up to 5 hours for review of responses and written comments). On June 9, 2023, the OEB issued its Decision on Cost Eligibility granting cost eligibility to Pollution Probe.

An OEB Staff Report on EPCOR's 2023 Annual Update to its 2019-2024 Aylmer Natural Gas Supply Plan and new Three-Year Natural Gas Supply Plan for South Bruce (2023-2025) was issued on November 20, 2023. Following consideration of the OEB Staff Report, the OEB determined that there were no issues that would require a hearing. Therefore, the issuance of the OEB Staff Report marked the conclusion of the consultation.

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<sup>1</sup> EB-2017-0129

## Notice of Hearing on Cost

The OEB is initiating this hearing on its own motion to determine the cost awards that will be made in accordance with section 30 of the *Ontario Energy Board Act, 1998* in relation to eligible consultation activities that have occurred since May 16, 2023. Costs awarded will be recovered from EPCOR. The decision on costs will be made by an OEB staff member with delegated authority under section 6 of the *Ontario Energy Board Act, 1998*.

The OEB intends to proceed by way of written hearing unless a party can satisfy the OEB that there is a good reason for not holding a written hearing. If a party wants to object to a written hearing, the objection must be received by the OEB no later than **seven (7) days** after the date of this Notice.

Assuming that the OEB does not receive any objections to a written hearing, the hearing will follow the process set out below.

1. Pollution Probe shall submit its cost claims by **November 30, 2023**. The cost claim must be filed with the OEB and served on EPCOR. The cost claim must be completed in accordance with section 10 of the OEB's [Practice Direction on Cost Awards](#).
2. EPCOR will have until **December 7, 2023**, to object to any aspect of the costs claimed. The objection must be filed with the OEB and served on Pollution Probe.
3. Pollution Probe will have until **December 14, 2023**, to file with the OEB a reply submission as to why its cost claim should be allowed. The reply submission is to be sent by email to EPCOR.
4. EPCOR shall pay the OEB's costs of and incidental to this proceeding upon receipt of the OEB's invoice.

The OEB will use the process set out in section 12 of the *Practice Direction on Cost Awards* to implement the payment of the cost awards. Therefore, the OEB will act as a clearing house for all payments of cost awards in this process.

## How to File Materials

Stakeholders are responsible for ensuring that any documents they file with the OEB **do not include personal information** (as that phrase is defined in the *Freedom of Information and Protection of Privacy Act*), unless filed in accordance with rule 9A of the OEB's [Rules of Practice and Procedure](#).

Please quote file number, **EB-2023-0111**, for all materials filed and submit them in searchable/unrestricted PDF format with a digital signature through the [OEB's online filing portal](#).

- Filings should clearly state the sender's name, postal address, telephone number and e-mail address.
- Please use the document naming conventions and document submission standards outlined in the [Regulatory Electronic Submission System \(RESS\) Document Guidelines](#) found at the [File documents online page](#) on the OEB's website.
- Stakeholders are encouraged to use RESS. Those who have not yet [set up an account](#), or require assistance using the online filing portal can contact [registrar@oeb.ca](mailto:registrar@oeb.ca) for assistance.
- Cost claims are filed through the OEB's online filing portal. Please visit the [File documents online page](#) of the OEB's website for more information. All participants shall download a copy of their submitted cost claim and serve it on all required parties as per the [Practice Direction on Cost Awards](#).

All communications should be directed to the attention of the Registrar and be received by end of business, 4:45 p.m., on the required date.

With respect to distribution lists for all electronic correspondence and materials related to this consultation, interested parties must include Case Manager, Arturo Lau, [Arturo.Lau@oeb.ca](mailto:Arturo.Lau@oeb.ca) and OEB Counsel, Ian Richler at [Ian.Richler@oeb.ca](mailto:Ian.Richler@oeb.ca).

Email: [registrar@oeb.ca](mailto:registrar@oeb.ca)

Tel: 1-888-632-6273 (Toll free)

**DATED at** Toronto, November 23, 2023

**ONTARIO ENERGY BOARD**

Nancy Marconi  
Registrar